



Town of Berwyn Heights

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MAYOR
Amanda M. Dewey

COUNCIL MEMBERS
Jodie A. Kulpa-Eddy (Mayor Pro Tem)
Christopher S. Brittan Powell
Jason W. Papanikolas
Ethan D. Sweep

ORDINANCE 186 – FY 2023 PUBLIC SAFETY TAXING DISTRICT BUDGET

FOR the purposes of adopting the Public Safety Taxing District Budget for Fiscal Year 2023, to be collected by and transferred from the General Fund to be appropriated for the expenditures for Fiscal Year 2023; defraying public safety expenses and liabilities of the Town of Berwyn Heights and levying same for the purposes specified; and establishing real estate and personal property tax rates for Fiscal Year 2023, beginning July 1, 2022, and ending June 30, 2023, inclusive, and specifying a rate of interest and penalty to be charged upon overdue-property taxes.

WHEREAS, the Public Safety Taxing District (PSTD), created under the authority granted by the State of Maryland to finance public safety projects, systems, facilities, programs, or activities of special benefit to the district, through an ad valorem tax levied on real and/or personal property, encompasses the commercial and industrial properties within the Commercial District Management Authority Commercial District as defined in Ordinance 123.

WHEREAS, the PSTD provides the Berwyn Heights Police Department with resources to finance capital and operating costs for a police officer to strengthen public safety in the commercial district. This additional officer augments existing policing and community outreach efforts within the PSTD.

WHEREAS, pursuant to Section 602 of the Berwyn Heights Town Charter, the Fiscal Year 2023 PSTD budget was presented and discussed at the April 13, 2022 and May 11, 2022 Council meetings, and

WHEREAS, pursuant to Section 604 of the Town of Berwyn Heights Charter, properly advertised public hearings on the Fiscal Year 2023 PSTD Budget were held on April 13, 2022 and May 11, 2022; and

WHEREAS, pursuant to Section 602 of the Berwyn Heights Town Charter, the Fiscal Year 2023 PSTD Budget was made available to Town residents prior to and at the Town Meetings on April 13, 2022 and May 11, 2022; and

NOW, THEREFORE:

SECTION 1. BE IT ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that the following budget, as approved by Council for the PSTD, is hereby adopted at the indicated funding level for the Town of Berwyn Heights, Maryland for Fiscal Year 2023, beginning July 1, 2022, and ending June 30, 2023, inclusive; and

SECTION 2. PSTD:

- A. **AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL** that the following revenues are, in the considered judgment of the Town Council, a fair appraisal and estimate of the revenues available to finance this budget and these appropriations for the fiscal year beginning July 1, 2022 and ending June 30, 2023, inclusive:

<u>Source</u>	<u>Estimated Revenues</u>
Real Estate Taxes	\$61,000
Personal Property Taxes	<u>30,500</u>
TOTAL PSTD FUND REVENUE:	\$91,500

- B. **AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL** that the following sums and amounts shall be and hereby are appropriated for the fiscal year beginning July 1, 2022 and ending June 30, 2023, inclusive, the said revenues being transferred from the General Fund to be used to finance public safety projects, systems, facilities, programs, or activities Public Safety Police Department Fund:

<u>Account Name</u>	<u>Approved Budget, Appropriation Transfer</u>
General Fund General Government Budget:	\$91,500
General Fund: Capital Projects Fund	
Balance & Reserve:	<u>0</u>
TOTAL PSTD APPROPRIATION:	\$91,500

SECTION 3. RATE OF TAXATION ON REAL PROPERTY:

BE IT ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that a tax rate of twelve cents (\$0.12) on each one hundred dollars (\$100) of assessable property in the Town of Berwyn Heights be and the same is hereby imposed on all assessable property for the fiscal year beginning July 1, 2022, and ending June 30, 2023, inclusive, to be collected pursuant to the provisions contained in Section 604 of the Charter of the Town of Berwyn Heights and all other provisions pertaining to tax levies in said Charter, the said tax rate of (\$0.12) on each one hundred dollars (\$100) shall be transferred from the General Fund to finance public safety projects, systems, facilities, programs or activities of special benefit to the district; and

SECTION 4. RATE OF TAXATION ON PERSONAL PROPERTY:

BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that a tax rate of fifteen cents (\$0.15) on each one hundred dollars (\$100) of assessable personal property in the Town of Berwyn Heights be and the same is hereby imposed on all assessable property for the fiscal year beginning July 1, 2022 and ending June 30, 2023, inclusive, to be collected pursuant to the provisions contained in Section 604 of the Charter of the Town of Berwyn Heights and all other provisions pertaining to tax levies in said Charter, the said tax rate of fifteen cents (\$0.15) on each one hundred dollars (\$100) shall be transferred from the General Fund to finance public safety projects, systems, facilities, programs or activities of special benefit to the district; and


SECTION 5. BE IT FURTHER ORDAINED that the taxes levied by this Ordinance remaining unpaid on October 1, 2024 shall be overdue, and from and after that date shall bear interest, to be collected with said taxes, at the rate of two-thirds of one percent for each month or fraction of a month and a penalty of thirty dollars for each month or fraction of each month until paid. The Town may place a lien on the personal property and on the real property of the owners of the personal property to collect unpaid personal property tax and any applicable penalty and interest.

NOW, THEREFORE, BE IT ORDAINED that the Town Council of the Town of Berwyn Heights does hereby adopt this budget with a supporting real property tax rate of twelve cents (\$0.12) per one hundred dollars (\$100) of assessed valuation of real property and fifteen cents (\$0.15) per one hundred dollars (\$100) of assessed valuation of personal property for FY 2023 beginning July 1, 2022, and ending June 30, 2023, inclusive


BE IT FURTHER ORDAINED that if any sections or provisions in this Ordinance shall be adjudicated to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of this Ordinance as a whole or any other section or provision or part thereof.

AND BE IT FURTHER ORDAINED by the Mayor and Town Council of the Town of Berwyn Heights, Maryland that this Ordinance shall become effective on the 1st day of June 2022, after having been read at two successive Town Meetings on April 13, 2022 and May 11, 2022, pursuant to the Berwyn Heights Charter, Section 311, unless within twenty (20) days after its passage a Referendum Petition is filed with the Town Manager. If such a Petition is filed, this Ordinance shall be held in abeyance pending the outcome of a special election.

By the Order of Mayor and Town Council


Amanda M. Dewey
Mayor, Town of Berwyn Heights

ATTEST:


Melanie Friesen, Town Clerk

5/11/21
Date

Adopted: May 11, 2022
Effective: June 1, 2022

